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Cc: Chan, Janice[Chan.Janice@epa.gov]
From: Howard Shanker
Sent: Fri 10/31/2014 4:03:26 PM
Subject: RE: ADEQ File Request, CTS323096, Howard Shanker

Hi Rich/Janice: As you may recall, Hickman Eggs is operating a CAFO in Tonopah Arizona (Desert Pride Farms) that is scheduled to house approximately 12 million chickens. I recently requested documents pertaining to Hickman's compliance with the AZPDES program. I did my file review on Wednesday. Hickman already has chickens on site and appears to be operational.

1. We previously established that Hickman essentially completed construction without a Stormwater Pollution Protection Plan or even an NOI to come in under the General Construction Permit. In fact Hickman didn't begin to file the necessary construction documents until after I requested them from ADEQ. These facts are beyond dispute. ADEQ has indicated that they will take no action against Hickman for this. As an aside, when I discovered the fact that Hickman had no SPPP and no construction NOI and pointed it out to DEQ - there seems to have been an internal argument over the fact that ADEQ had complied with my public records request and that should have been the end of the inquiry. i.e., ADEQ didn't have the documents and I should be done.
2. In my most recent file review I found, again, nothing. Hickman has filed no permit application for its Tonopah operations to be covered by the AZPDES program;
3. As you may be aware the General Permit for CAFOs in Arizona has expired - notwithstanding, Hickman has not filed an NOI;
4. Hickman has filed no Nutrient Management Plan;
5. Indeed, Hickman appears to simply be proceeding with operations without bothering to meet obligations under the AZPDES program - ADEQ does not seem to care

Any suggestions would be appreciated. Indeed, if the EPA would like to try to protect the Nation's waters, that would be nice too. Thanks.

Howard M. Shanker

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